

Senate File 452

S-3198

1 Amend Senate File 452 as follows:

2 1. Page 25, after line 16 by inserting:

3 <DIVISION  
4 ROADS AND BRIDGES PROJECTS

5 Sec. \_\_\_\_\_. Section 8.55, subsection 2, Code 2013, is  
6 amended to read as follows:

7 2. The maximum balance of the fund is the amount  
8 equal to two and one-half percent of the adjusted  
9 revenue estimate for the fiscal year. If the amount of  
10 moneys in the Iowa economic emergency fund is equal to  
11 the maximum balance, moneys in excess of this amount  
12 shall be distributed as follows:

13 a. The first sixty million dollars of the  
14 difference between the actual net revenue for the  
15 general fund of the state for the fiscal year and the  
16 adjusted revenue estimate for the fiscal year shall be  
17 transferred to the taxpayers trust fund.

18 b. Moneys in excess of the amount transferred under  
19 paragraph "a", up to a maximum of one hundred million  
20 dollars, shall be transferred to the critical needs  
21 road fund created under section 312B.1.

22 ~~b.~~ c. The remainder of the excess, if any, shall  
23 be transferred to the general fund of the state.

24 Sec. \_\_\_\_\_. Section 8.58, Code 2013, is amended to  
25 read as follows:

26 **8.58 Exemption from automatic application.**

27 1. To the extent that moneys appropriated under  
28 section 8.57 do not result in moneys being credited  
29 to the general fund under section 8.55, subsection  
30 2, moneys appropriated under section 8.57 and moneys  
31 contained in the cash reserve fund, rebuild Iowa  
32 infrastructure fund, environment first fund, Iowa  
33 economic emergency fund, ~~and~~ taxpayers trust fund, and  
34 critical needs road fund shall not be considered in the  
35 application of any formula, index, or other statutory  
36 triggering mechanism which would affect appropriations,  
37 payments, or taxation rates, contrary provisions of the  
38 Code notwithstanding.

39 2. To the extent that moneys appropriated under  
40 section 8.57 do not result in moneys being credited  
41 to the general fund under section 8.55, subsection  
42 2, moneys appropriated under section 8.57 and moneys  
43 contained in the cash reserve fund, rebuild Iowa  
44 infrastructure fund, environment first fund, Iowa  
45 economic emergency fund, ~~and~~ taxpayers trust fund, and  
46 critical needs road fund shall not be considered by an  
47 arbitrator or in negotiations under chapter 20.

48 Sec. \_\_\_\_\_. NEW SECTION. 312B.1 Critical needs road  
49 fund.

50 1. A critical needs road fund is created in the

1 state treasury under the control of the department  
2 of transportation. The fund shall be separate from  
3 the general fund of the state and the balance in the  
4 fund shall not be considered part of the balance of  
5 the general fund of the state. The fund shall consist  
6 of moneys appropriated by the general assembly and  
7 any revenues credited by law to the critical needs  
8 road fund. The moneys in the fund are not subject  
9 to section 8.33 and shall not be transferred, used,  
10 obligated, appropriated, or otherwise encumbered except  
11 as provided in this section. Notwithstanding section  
12 12C.7, subsection 2, interest or earnings on moneys  
13 deposited in the critical needs road fund shall be  
14 credited to the fund.

15 2. Moneys in the critical needs road fund are  
16 appropriated to the department of transportation to  
17 be used as directed by the department exclusively for  
18 the repair and maintenance of roads on the primary or  
19 secondary road system or the municipal street system,  
20 including bridges. The department shall establish  
21 guidelines to be used by the department, counties,  
22 and cities for identifying roads and bridges in  
23 critical need of repair or maintenance and for the  
24 department to use in evaluating and prioritizing state  
25 and local road projects to receive funding under this  
26 section. Counties and cities may apply for funding  
27 from the critical needs road fund by submitting to the  
28 department proposals for projects on roads under their  
29 respective jurisdictions. A qualifying proposal shall  
30 include information regarding the status and condition  
31 of the road that is the subject of the proposal,  
32 the plan for completing the project, and any other  
33 information required by the department. The department  
34 shall develop an application process for counties and  
35 cities to use for the submission of proposals for the  
36 use of funds under this section. Moneys distributed  
37 from the critical needs road fund may be used in  
38 combination with other available funding as necessary  
39 to accomplish the completion of a qualifying project  
40 and to accomplish the goal of reducing the number of  
41 Iowa roads and bridges with critical needs.>

42 2. By renumbering as necessary.

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